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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No.

2011-743

11 **KRISTIANA JANE YOUNG**
12 **914 Ruth Court**
13 **Pacific Grove, CA 93950**

ACCUSATION

14 **818 Sunset Drive, #11**
15 **Pacific Grove, CA 93950**

16 **Registered Nurse License No. 708819**

Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about July 27, 2007, the Board of Registered Nursing issued Registered Nurse
24 License Number 708819 to Kristiana Jane Young (Respondent). The Registered Nurse License
25 expired on May 31, 2009, and has not been renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct,

..."

6. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

"(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

...

"(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in subdivision (a) of this section."

7. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

8. Section 2811(b) of the Code provides, in pertinent part, that the Board may renew an expired license at any time within eight years after the expiration.

9. Section 118, subdivision (b), of the Code provides that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

11. Health and Safety Code section 11173(a) states, in pertinent part, that no person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances by fraud, deceit, misrepresentation or subterfuge.

DRUGS

12. Dilaudid is a brand of hydromorphone hydrochloride, a Schedule II controlled substance as designated by Health and Safety Code section 11055(b) and a dangerous drug as designated by Business and Professions Code section 4022, used for pain relief.

FIRST CAUSE FOR DISCIPLINE

(ILLEGALLY OBTAIN OR POSSESS CONTROLLED SUBSTANCES)

13. Respondent is subject to disciplinary action under Code section 2761(a) on the grounds of unprofessional conduct, as defined by Code section 2762(a), in that while on duty as a registered nurse at Regional Medical Center of San Jose in San Jose, California, Respondent illegally obtained and/or possessed controlled substances as follows:

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1 Patient 1:

2 a. The physician for Patient 1 ordered 1 mg Hydromorphone/Dilaudid IV every two
3 hours as needed for severe pain.

4 b. On August 6, 2008 at 07:26, Respondent removed 1 mg of Hydromorphone/Dilaudid
5 from the hospital AcuDose¹. Respondent failed to document administration or wastage of the
6 Hydromorphone/Dilaudid, or account for its disposition.

7 c. On August 6, 2008 at 07:49, Respondent removed 1 mg of Hydromorphone/Dilaudid
8 from the hospital AcuDose. Respondent failed to document administration or wastage of the
9 Hydromorphone/Dilaudid, or account for its disposition.

10 d. On August 6, 2008 at 10:02, Respondent removed 1 mg of Hydromorphone/Dilaudid
11 from the hospital AcuDose. Respondent failed to document administration or wastage of the
12 Hydromorphone/Dilaudid, or account for its disposition.

13 e. On August 6, 2008 at 10:59, Respondent removed 1 mg of Hydromorphone/Dilaudid
14 from the hospital AcuDose. Respondent failed to document administration or wastage of the
15 Hydromorphone/Dilaudid, or account for its disposition.

16 Patient 2:

17 f. On August 12, 2008, the physician for Patient 2 ordered 4 mg Hydromorphone/
18 Dilaudid IV every three to four hours as needed for pain.

19 g. On August 13, 2008 at 07:07, Respondent removed 4 mg of
20 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
21 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

22 h. On August 13, 2008 at 09:06, Respondent removed 4 mg of
23 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
24 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.
25

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27 _____
28 ¹ AcuDose is a hospital computerized medication storage system.

1 i. On August 13, 2008 at 10:16, Respondent removed 4 mg of
2 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
3 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

4 j. On August 13, 2008 at 12:27, Respondent removed 4 mg of
5 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
6 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

7 k. On August 16, 2008 at 16:07, Respondent removed 4 mg of
8 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
9 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

10 l. On August 17, 2008 at 07:55, Respondent removed 4 mg of
11 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
12 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

13 m. On August 17, 2008 at 09:08, Respondent removed 4 mg of
14 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
15 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

16 n. On August 17, 2008 at 10:38, Respondent removed 4 mg of
17 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
18 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

19 o. On August 17, 2008 at 12:53, Respondent removed 4 mg of
20 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
21 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

22 p. On August 17, 2008 at 17:15, Respondent removed 4 mg of
23 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
24 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

25 q. On August 17, 2008 at 19:43, Respondent removed 4 mg of
26 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
27 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.
28

1 r. On August 18, 2008 at 18:41, Respondent removed 4 mg of
2 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
3 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

4 s. On August 19, 2008, the physician for Patient 2 ordered 2 mg
5 Hydromorphone/Dilaudid IV every three to four hours as needed for pain.

6 t. On August 20, 2008 at 09:52, Respondent removed 2 mg of
7 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
8 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

9 u. On August 21, 2008 at 07:39, Respondent removed 4 mg of
10 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
11 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

12 v. On August 21, 2008 at 11:52, Respondent removed 4 mg of
13 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
14 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

15 w. On August 21, 2008 at 14:23, Respondent removed 4 mg of
16 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
17 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

18 x. On August 25, 2008 at 17:59, Respondent removed 4 mg of
19 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
20 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

21 y. On August 25, 2008 at 12:07, Respondent removed 4 mg of
22 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
23 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

24 z. On August 25, 2008 at 16:06, Respondent removed 4 mg of
25 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
26 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

1 aa. On August 25, 2008 at 16:31, Respondent removed 4 mg of
2 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
3 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

4 bb. On August 26, 2008 at 07:09, Respondent removed 4 mg of
5 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
6 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

7 cc. On August 26, 2008 at 08:11, Respondent removed 4 mg of
8 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
9 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

10 dd. On August 26, 2008 at 13:12, Respondent removed 4 mg of
11 Hydromorphone/Dilaudid from the hospital AcuDose. Respondent failed to document
12 administration or wastage of the Hydromorphone/Dilaudid, or account for its disposition.

13 SECOND CAUSE FOR DISCIPLINE

14 (FALSIFY, OR MAKE GROSSLY INCORRECT, GROSSLY INCONSISTENT, OR
15 UNINTELLIGIBLE ENTRIES IN ANY PATIENT RECORD)

16 14. Respondent is subject to disciplinary action under Code section 2761(a) on the
17 grounds of unprofessional conduct, as defined by Code section 2762(e), in that while on duty as a
18 registered nurse at Regional Medical Center of San Jose in San Jose, California, Respondent
19 falsified, made grossly incorrect, grossly inconsistent, or unintelligible entries in hospital and
20 patient records, as alleged above in paragraphs 13.a. through 13.dd.

21 THIRD CAUSE FOR DISCIPLINE

22 (UNPROFESSIONAL CONDUCT)

23 15. Respondent is subject to disciplinary action under section 2761(a) in that she acted
24 unprofessionally as alleged above in paragraphs 13.a. through 13.dd., 14 and 15.

25 16. Respondent is further subject to disciplinary action under section 2761(a) in that she
26 withdrew Hydromorphone/Dilaudid from the hospital AcuDose more frequently than prescribed
27 by the physician for Patient 1 and Patient 2 above, as alleged in paragraphs 13.a. through 13.dd.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

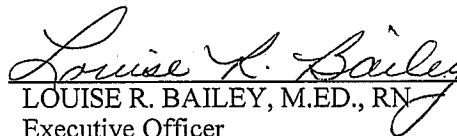
1. Revoking or suspending Registered Nurse License Number 708819, issued to Kristiana Jane Young;

2. Ordering Kristiana Jane Young to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: _____

3/3/11



LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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